

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : Criminal No. 3:09-CR-396
: :
v. : (Judge Caputo)
: :
DERRICK DONCHAK : Electronically filed

PROPOSED VERDICT FORM

AND NOW, this 29th day of September, 2010, comes the Defendant, Derrick Donchak, by counsel, William A. Fetterhoff, and presents the following:

COUNT ONE

ASSAULT OF LUIS RAMIREZ BECAUSE OF HIS RACE AND BECAUSE HE WAS

OCCUPYING A DWELLING IN SHENANDIOAH

BRANDON PIEKARSKY

1. Did BRANDON PIEKARSKY commit an unlawful assault against Luis Ramirez?

Yes _____ No _____

2. Did the death of Luis Ramirez result from an unlawful assault committed by BRANDON PIEKARSKY?

Yes _____ No _____

3. If the jury finds that Luis Ramirez was subject to an unlawful assault by BRANDON PIEKARSKY does the jury also find that the assault was committed because of the race of Luis Ramirez?

Yes _____

No _____

4. If the jury finds that Luis Ramirez was subject to an unlawful assault by BRANDON PIEKARSKY and that the assault was committed by BRANDON PIEKARSKY because of the race of Luis Ramirez does the jury also find that the assault was committed by BRANDON PIEKARSKY because Luis Ramirez was occupying a dwelling in Shenandoah?

Yes _____

No _____

5. Does the jury find BRANDON PIEKARSKY guilty or not guilty on Count One?

Guilty _____

Not Guilty _____

COUNT ONE

ASSAULT OF LUIS RAMIREZ BECAUSE OF HIS RACE AND BECAUSE HE WAS

OCCUPYING A DWELLING IN SHENANDIOAH

DERRICK DONCHAK

1. Did DERRICK DONCHAK commit an unlawful assault against Luis Ramirez?

Yes _____

No _____

2. Did the death of Luis Ramirez result from an unlawful assault committed by DERRICK DONCHAK?

Yes _____

No _____

3. If the jury finds that Luis Ramirez was subject to an unlawful assault by DERRICK DONCHAK does the jury also find that the assault was also committed because of the race of Luis Ramirez?

Yes _____

No _____

4. If the jury finds that Luis Ramirez was subject to an unlawful assault by DERRICK DONCHAK and that the assault was committed by DERRICK DONCHAK because of the race of Luis Ramirez does the jury also find that the assault was committed by DERRICK DONCHAK because Luis Ramirez was occupying a dwelling in Shenandoah?

Yes _____ No _____

5. Does the jury find DERRICK DONCHAK guilty or not guilty on Count One?

Guilty _____ Not Guilty _____

COUNT TWO

CONSPIRACY TO FALSIFY RECORDS IN FEDERAL INVESTIGATION

DERRICK DONCHAK

1. Did DERRICK DONCHAK knowingly conspire with members of the Shenandoah Police Department and others to make false entries in official police reports?

Yes _____ No _____

2. If the jury finds that DERRICK DONCHAK did knowingly conspire with members of the Shenandoah Police Department and others to make false entries in official police reports, does the jury also find that DERRICK DONCHAK acted with the intent to impede, obstruct, or influence a Federal investigation?

Yes _____ No _____

3. Does the jury find DERRICK DONCHAK guilty or not guilty on Count Two?

Guilty _____ Not Guilty _____

COUNT THREE

FALSIFICATION OF RECORDS IN FEDERAL INVESTIGATION

DERRICK DONCHAK

1. Did DERRICK DONCHAK knowingly aid and abet members of the Shenandoah Police Department and others to make false entries in official police reports?

Yes _____ No _____

2. If the jury finds that DERRICK DONCHAK did knowingly aid and abet members of the Shenandoah Police Department to make false entries in official police reports, does the jury also find that DERRICK DONCHAK acted with the intent to impede, obstruct, or influence a Federal investigation?

Yes _____ No _____

3. Does the jury find DERRICK DONCHAK guilty or not guilty on Count Three?

Guilty _____ Not Guilty _____

COUNT FOUR

DESTRUCTION OR CONCEALMENT OF TANGIBLE OBJECT

IN FEDERAL INVESTIGATION

DERRICK DONCHAK

1. Did DERRICK DONCHAK knowingly conceal and/or cover up a tangible object, namely a pair of shoes?

Yes _____ No _____

2. If the jury finds that DERRICK DONCHAK did knowingly conceal and/or cover up a tangible object, namely a pair of shoes, does the jury also find that DERRICK DONCHAK acted with the intent to impede, obstruct, or influence a Federal investigation?

Yes _____

No _____

3. Does the jury find DERRICK DONCHAK guilty or not guilty on Count Four?

Guilty _____

Not Guilty _____

September 29, 2010

Respectfully submitted,

/s/ William A. Fetterhoff
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was electronically served on the individuals listed below.

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